

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

MICHAEL BOETT LIN, JR.	:	CIVIL ACTION
	:	
v.	:	NO. 08-2261
	:	
PAUL K. SMEAL, et al.	:	

ORDER

AND NOW, this 17th day of November, 2009, upon consideration of the Petition for Writ of Habeas Corpus (Document No. 1), the Respondents' Response to Petition for Writ of Habeas Corpus (Document No. 8), the Petitioner's "Traverse Response" to Respondents' Answer Filed (Document No. 13), the Report and Recommendation filed by United States Magistrate Judge Lynne A. Sitarski (Document No. 15), the petitioner's objections to the Report and Recommendation (Document No. 19), and after a thorough and independent review of the record, it is **ORDERED** that:

1. The petitioner's objections are **OVERRULED**;
2. The Report and Recommendation of Magistrate Judge Sitarski is **APPROVED** and **ADOPTED**;
3. The Petition for Writ of Habeas Corpus is **DENIED**; and,
4. There is no probable cause to issue a certificate of appealability.

/Timothy J. Savage
TIMOTHY J. SAVAGE, J.